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FILED

April 9, 2008

**NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS**

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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF MEDICAL EXAMINERS

IN THE MATTER OF THE APPLICATION	:	
OF	:	
REVATHI SHANMUGHAM, M.D.	:	Administrative Action
	:	
TO PRACTICE MEDICINE AND SURGERY	:	CONSENT ORDER
IN THE STATE OF NEW JERSEY	:	
	:	

This matter was opened to the New Jersey State Board of Medical Examiners (Board) upon review of Dr. Revathi Shanmugham's (Respondent) application for licensure. In her application for licensure, Dr. Shanmugham responded affirmatively to questions pertaining to whether any type of disciplinary action had ever been taken with respect to her license(s) to practice medicine and whether she had ever surrendered her professional license.

On or about June 21, 2002, The State of Florida, Board of Medicine (Florida Board), by a Final Order (Florida Order), issued Respondent a Letter of Concern, imposed a \$5,000.00 administrative, fine, required her to make a one (1) hour presentation on proper administration of medication, to complete ten (10) hours of CME

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consisting of five (5) hours in ethics and five (5) hours in risk management, and to pay \$3,500.00 in costs of investigation and prosecution, based on charges of prescribing the wrong medication to a patient upon discharge, failing to maintain accurate patient records and pre-dating corrected prescriptions.

Thereafter, on or about October 28, 2002, Respondent surrendered her license to practice medicine in the State of New York based upon the State of New York, Department of Health, State Board for Professional Medical Conduct (New York Board) assertion that Respondent violated New York Education Law Section 6530(9)(d) by having disciplinary action taken by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the disciplinary action would, if committed in New York, constitute professional misconduct.

Respondent appeared with counsel, Devi Shanmugham, Esq., before the Credentials Committee of the New Jersey Board (Credentials Committee) on December 17, 2007, to discuss her application for licensure and the discipline in Florida and New York. Respondent took responsibility for her actions in Florida and represented her conduct in Florida to be an isolated event.

On January 9, 2008, the Board approved the Credentials Committee December 17, 2007 recommendation to grant Respondent a license to practice medicine in the State of New Jersey. In making its determination, the Board considered Respondent's testimony in which she took responsibility for her actions in Florida and found Respondent's misconduct to be an isolated event. The Board also

considered Respondent's present unrestricted active status in Florida and the fact that Respondent has fully complied with the Florida Final Order, the sister state where she was originally disciplined. Lastly, the Board considered Respondent's testimony that the reason she surrendered her license in New York is that she did not expect to practice there again at such time.

The Board finding the following disposition of this matter is adequately protective of the public interest, and other good cause appearing;

IT IS on this 9th day of April, 2008, ORDERED AND AGREED THAT:

1. The New Jersey State Board of Medical Examiners grants Respondent licensure to practice medicine and surgery in the State of New Jersey on condition that she abides by the provisions set forth in this Consent Order.

2. Respondent shall obey all of the statutes and regulations governing the practice of medicine and surgery in the State of New Jersey.

3. Respondent shall attend and complete a medical ~~professional ethics course and a record keeping course pre-approved~~ by the Board within three (3) months of the filing date of this Order. Respondent shall submit proof of full attendance at and successful completion of the courses within two (2) weeks of completion of the courses. These courses shall not be used to fulfill the minimum required hours of continuing medical education for any renewal period.

4. Respondent agrees that any violation of this Consent Order may serve as the basis for additional disciplinary action pursuant to N.J.S.A. 45:1-21, including revocation or suspension of her New Jersey license to practice medicine and surgery.

NEW JERSEY STATE BOARD OF
MEDICAL EXAMINERS

By: Mario A. Criscito, M.D.
Mario Criscito, M.D.
Board President

I have read the within Consent Order and agree to be bound by its terms. Consent is hereby given to the Board to enter into this Order.

Revathi Shanmugham, M.D.

4.4.08
Date

Consented to as to form:

Devi Shanmugham, Esq.

4.4.08
Date

NOTICE OF REPORTING PRACTICES OF BOARD
REGARDING DISCIPLINARY ACTIONS

Pursuant to N.J.S.A. 52:14B-3(3), all orders of the New Jersey State Board of Medical Examiners are available for public inspection. Should any inquiry be made concerning the status of a licensee, the inquirer will be informed of the existence of the order and a copy will be provided if requested. All evidentiary hearings, proceedings on motions or other applications which are conducted as public hearings and the record, including the transcript and documents marked in evidence, are available for public inspection, upon request.

Pursuant to 45 CFR Subtitle A 60.8, the Board is obligated to report to the National Practitioners Data Bank any action relating to a physician which is based on reasons relating to professional competence or professional conduct:

- (1) Which revokes or suspends (or otherwise restricts) a license,
- (2) Which censures, reprimands or places on probation,
- (3) Under which a license is surrendered.

Pursuant to 45 CFR Section 61.7, the Board is obligated to report to the Healthcare Integrity and Protection (HIP) Data Bank, any formal or official actions, such as revocation or suspension of a license (and the length of any such suspension), reprimand, censure or probation or any other loss of license or the right to apply for, or renew, a license of the provider, supplier, or practitioner, whether by operation of law, voluntary surrender, non-renewability, or otherwise, or any other negative action or finding by such Federal or State agency that is publicly available information.

Pursuant to N.J.S.A. 45:9-19.13, if the Board refuses to issue, suspends, revokes or otherwise places conditions on a license or permit, it is obligated to notify each licensed health care facility and health maintenance organization with which a licensee is affiliated and every other board licensee in this state with whom he or she is directly associated in private medical practice.

In accordance with an agreement with the Federation of State Medical Boards of the United States, a list of all disciplinary orders are provided to that organization on a monthly basis.

Within the month following entry of an order, a summary of the order will appear on the public agenda for the next monthly Board meeting and is forwarded to those members of the public requesting a copy. In addition, the same summary will appear in the minutes of that Board meeting, which are also made available to those requesting a copy.

Within the month following entry of an order, a summary of the order will appear in a Monthly Disciplinary Action Listing which is made available to those members of the public requesting a copy.

On a periodic basis the Board disseminates to its licensees a newsletter which includes a brief description of all of the orders entered by the Board.

From time to time, the Press Office of the Division of Consumer Affairs may issue releases including the summaries of the content of public orders.

Nothing herein is intended in any way to limit the Board, the Division or the Attorney General from disclosing any public document.